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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,245	01/24/2002	Douglas Ross Cardy	CCK94028	3727
25537	7590	11/21/2005		EXAMINER
MCI, INC 1133 19TH STREET NW 4TH FLOOR WASHINGTON, DC 20036				HOOSAIN, ALLAN
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/054,245	CARDY ET AL.
Examiner	Art Unit	
Allan Hoosain	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 21 October 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-54 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-54 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6123104

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

## **FINAL DETAILED ACTION**

### ***Claim Objections***

1. Claims 9-49 are objected to because of the following informalities: They do not show which limitations were deleted. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-54 are rejected under 35 U.S.C. 102(e) as being anticipated by **Wheeler, Jr.** (US 5,583,920).

As to Claims 1,22-25,28-34,40-43,45-54, with respect to Figures 1-3, **Wheeler, Jr.** teaches a an apparatus for decentralizing communications services in an AIN telecommunications system comprising:

ISCP 40 (a switch intelligence) which provides control functions for CO-SSP 13 (a switch fabric), said switch intelligence being logically separated from said switch fabric and

being implemented in a separate network element from said switch fabric (Figure 1A and Figure 5, label S2,S7), the switch intelligence being configured to:

process information received from the switch fabric, the information comprising a trigger (facility related event) associated with a call (Figure 5, label S1 and Figure 6, label 1),  
maintain call processing (a call state) associated with completing the call in accordance with a call forwarding application (call model), the call model indicating how the information will be processed (Figure 6 and Figure 5, label S11),

identify at least call handling instructions (one point in call) associated with completing the call (Figure 6, labels 4-6), and

forward a request for digit collection (a telecommunications function) in response to the identified at least one point in call (Figure 6, label 6);

IP (switch fabric proxy service), for providing Direct Talk Modules 1203 line interfaces (a normalized interface) between said switch fabric and said switch intelligence for communications involving said switch fabric and interfacing to said switch intelligence with a X.25 network (uniform application program interface) (Figure 4 and Col. 34, lines 20-55),

wherein the Direct Talk Modules line interfaces (normalized interface) comprises ISDN and T1 interfaces (any one of a plurality of vendor-specific interfaces) associated with CO SSP (the switch fabric) (Col. 10, lines 20-28, Col. 27, lines 58-61, Col. 29, lines 6-14, Col. 32, lines 24-29); and

Direct Talk Modules digit collection service (feature processor), said feature processor configured to:

executing digit collection (the telecommunications function) in response to the received request (Figure 6, labels 6-11).

As to Claims 2,27, **Wheeler, Jr.** further teaches the apparatus of claim 1, wherein said switch intelligence comprises:

flow chart (facility service logic) configured to represent bearer and signaling facilities of a party to the call, for interacting with said switch fabric proxy service to communicate with said switch fabric (Figure 6), the facility service logic configured to receive the facility related event and perform protocol processing on the information received from the switch fabric, wherein the facility related event comprises a trigger which is an off-hook indication (at least one of an off-hook indication, an on-hook indication or a wink) (Figure 6, label 1).

As to Claim 3, **Wheeler, Jr.** further teaches the apparatus of claim 2, wherein said ISCP 40 switch intelligence further comprises:

ISCP route instructions (connection manager logic) configured to forward connection information to the switch fabric, the connection information instructing the switch to establish physical connections to complete the call (Figure 6, labels 3 and 10-12).

As to Claim 4, **Wheeler, Jr.** teaches the apparatus of claim 3, wherein said ISCP 40 switch intelligence comprises:

service programming (call segment logic) configured to:

represent a status of incoming call processing and call transfer (at least two call halves) associated with completing the call in accordance with the call model, and perform call processing for each of the at least two call halves (Figure 6).

As to Claim 5, **Wheeler, Jr.** teaches the apparatus of claim 2, wherein said switch intelligence comprises:

a call processing creation environment, SCE 42, said SCE 42 (call processing creation environment) interacting with said switch intelligence for modifying said call model without modifying the switch fabric (Col. 34, lines 11-43).

As to Claim 6, **Wheeler, Jr.** teaches the apparatus of Claim 4, wherein said ISCP 40 (switch intelligence) comprises:

SCP-42 (a call processing creation environment), said call processing creation environment interacting with said call segment logic, for modifying said call model (Col. 34, lines 11-29 and Col. 35, lines 5-8).

As to Claim 7, **Wheeler, Jr.** teaches the apparatus of claim 2, wherein said ISCP 40 (switch intelligence) further comprises:

SCP-42 (a call processing creation environment), said call processing creation environment interacting with said facility service logic, for creating new facility models (Figure 5 and Col. 34, lines 56-67).

As to Claim 8, **Wheeler, Jr.** teaches the apparatus of claim 4, wherein said ISCP 40 (switch intelligence) further comprises:

SCP-42 (a call processing creation environment), said call processing creation environment interacting with said call segment logic, for creating new call models (Col. 34, lines 56-67 and Col. 35, lines 1-15).

Claims 9-21 is rejected for the same reasons given in the rejections of Claims 1 and 4 above.

As to Claim 26, **Wheeler, Jr.** teaches an apparatus according to claim 22 wherein said switch intelligence provides control functions to a plurality of switch fabrics (Figure 1A and Col. 10, lines 20-26).

As to Claims 35-39, **Wheeler, Jr.** teaches an apparatus according to Claim 32, wherein the switch fabric includes said switch-fabric proxy service (Col. 33, lines 17-19).

As to Claim 44, with respect to Figure 6, **Wheeler, Jr.** teaches an apparatus, Figure 1A, comprising:

an IP (feature processor) for executing digit collection (at least one telecommunications function) (Figure 6); and

ISCP 40 (switch intelligence) configured to:

receive data associated with a call (Figure 6, labels 1-2),

perform incoming call control and call transfer call control (call half processing) associated with callers and subscribers (parties to the call) (Figure 6); and provide connection information to a CO-SSP (an entity) that received the call, wherein the connection information identifies physical connections to complete the call, wherein the switch intelligence is implemented in at least one network element, the at least one network element being a separate network element from the entity that received the call (Figures 5-6).

***Response to Arguments***

4. Applicant's arguments filed in the 10/21/04 Remarks have been fully considered but they are not persuasive because of the following:

(a) Examiner appreciates the detailed explanations and arguments in the Remarks. In the telephone interview with **Mr. McKiel** and **Mr. Snyder**, Examiner was told that Applicants' invention removes conventional AIN SSP processing and IP processing into the SCP. Based on this information, Examiner had suggested by E-mail that the claims be amended to recite this information to distinguish over the prior art. In particular, Examiner suggested that the claims show a single interface based upon Applicants' Figure 2 of the US 6,041,109 patent. However, upon review of the amended claims, Examiner respectfully believes that the claims were not so amended and that the prior art still reads on the currently amended claims. These claims are all rejected in the instant office action and for the reasons below.

(b) Examiner respectfully believes that **Wheeler, Jr.** teaches that the ISCP maintains a call state based on a call model as shown in Figure 6 and based upon the Remarks at Page 22, lines 3-6. The information in Figure 6, clearly shows that the ISCP determines what information needs

to be collected for processing a call. Therefore, Examiner respectfully disagrees with Applicants' arguments at that it is the CO-SSP which maintains a call state. The CO-SSP only responds to instructions from the ISCP.

Similarly, Examiner disagrees that the ISCP does not store information about 'point in call' as argued in the Remarks at Pages 26-27. The arguments seem to indicate that because the CO-SSP detects the trigger, then the call state and point in call are stored in the CO-SSP. This reasoning contradicts the definitions in the Remarks. In addition, Examiner recalls confirming that Applicants' invention must have some sort of trigger capability to identify incoming calls before the calls are processed in the disclosed invention. Figure 6 of **Wheeler, Jr.** clearly teaches that call states and point in call are stored in the ISCP according to the definitions in the Remarks.

(c) Examiner respectfully believes that all other arguments were addressed in previous office actions. Applicants' Representatives are respectfully invited to call Examiner to discuss other possible amendments for overcoming the prior art.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

None

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any response to this final action should be mailed to:

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications; please mark "EXPEDITED PROCEDURE")

**Or:**

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Allan Hoosain*

**Allan Hoosain**  
**Primary Examiner**  
**1/18/05**